STATUTORY INSTRUMENTS

2015 No. 625

POLICE, ENGLAND AND WALES

The Police Appeals Tribunals (Amendment) Rules 2015

Made - - - -	*9th March 2015*
Laid before Parliament	*12th March 2015*
Coming into force - -	*1st May 2015*

The Secretary of State makes the following Rules in exercise of the powers conferred by section 85 of the Police Act 1996(**1**).

In accordance with section 63(3)(a) of the Police Act 1996(**2**), the Secretary of State supplied a draft of these Rules to the Police Advisory Board for England and Wales and has taken into consideration their representations before making these Rules.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Police Appeals Tribunals (Amendment) Rules 2015 and come into force on 1st May 2015.

(2) In these Rules "the 2012 Rules" means the Police Appeals Tribunals Rules 2012(**3**).

Amendment to the Police Appeals Tribunals Rules 2012

2. The 2012 Rules are amended in accordance with rules 3 to 9.

3. In rule 4(1), after sub-paragraph (b) insert—

"(c) any order made under regulation 35(12) or 55(11) of the Conduct Regulations.".

4. In rule 14, after paragraph (3) insert—

"(4) The chair may require notice of the hearing to be given which contains information relating to one or more of—

(a) the name of the officer concerned;

(b) the date of the hearing;

(c) the time of the hearing;

(**1**) 1996 c.16. Section 85 is amended by paragraph 8 of Schedule 22 to the Criminal Justice and Immigration Act 2008 (c. 4).

(**2**) Section 63(3) was substituted by paragraph 78 of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15) and further amended by paragraph 68 of Schedule 1 to the Police and Justice Act 2006 (c. 48), paragraph 6 of Schedule 22 to the Criminal Justice and Immigration Act 2008 and section 10 of the Policing and Crime Act 2009 (c. 26).

(**3**) S.I. 2012/2630.

(d) the place at which the hearing will take place; and

(e) the finding made under the Conduct Regulations or the disciplinary action, if any, imposed under the Conduct Regulations in consequence of a finding in relation to which the appeal has been brought.

(5) Where the chair requires notice to be given in accordance with paragraph (4), the relevant police force shall publish the notice on its website no less than 5 working days before the day on which the hearing begins.

(6) Any person to whom this paragraph applies may make written representations to the chair in relation to—

(a) whether, and (if so) the extent to which, the chair should exclude any person from all or any part of the hearing under rule 21(1);

(b) whether the chair should impose any conditions under rule 21(2);

(c) in the light of the representations made under sub-paragraphs (a) and (b)—

(i) whether the chair should require notice to be given under paragraph (4);

(ii) which types of information mentioned in paragraph (4)(a) to (e) should be included in any such notice.

(7) Paragraph (6) applies to—

(a) the appellant;

(b) the respondent;

(c) the complainant;

(d) any interested person;

(e) any witness;

(f) the IPCC.

(8) Any written representations made in accordance with paragraph (6) must be provided no later than the date specified by the chair for provision of such representations."

(9) Paragraphs (4) to (8) only apply to an appeal brought in accordance with rule 4.".

5. For rule 18 substitute—

"**Attendance at hearing**

18.—(1) Subject to rule 21, the hearing of an appeal brought in accordance with rule 4 shall be held in public.

(2) Subject to paragraph (3) and rules 19 and 20, the hearing of an appeal brought in accordance with rule 5 shall be held in private.

(3) The tribunal may allow a person to attend all or part of the hearing of an appeal brought under rule 5 as an observer for the purposes of training.".

6. In rule 19—

(a) in paragraph (1) for "This rule" substitute "Subject to paragraph (7), this rule";

(b) after paragraph (6) insert—

"(7) Paragraphs (3) to (5) do not apply to an appeal brought in accordance with rule 4.".

7. In rule 20—

(a) in paragraph (1) for "This rule" substitute "Subject to paragraph (4), this rule";